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10 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
11 OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
12 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
13 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE
14 ATLAS (FLUA) FOR 99-107 COM/LSMU 1 (OXLEY),
15 MODIFYING PAGE 107 OF THE FLUA BY CHANGING A
16 PARCEL OF LAND APPROXIMATELY 7.5 ACRES GENERALLY
17 LOCATED ON THE NORTHEAST CORNER OF OLD CLINT
MOORE ROAD AND JOG ROAD, FROM COMMERCIAL
RECREATION, WITH AN UNDERLYING 1 UNIT PER
ACRE(CR/1) TO COMMERCIAL LOW, WITH AN UNDERLYING
1 UNIT PER ACRE (CL/1), SUBJECT TO CONDITIONS;
PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE
PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.

18 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of County
19 Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-
20 17; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners
22 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II,
23 Florida Statutes; and

24 **WHEREAS**, the Palm Beach County Board of County Commissioners have
25 initiated amendments to several elements of the Comprehensive Plan in
26 order to promote the health, safety and welfare of the public of Palm
27 Beach County; and

28 **WHEREAS**, the Palm Beach County Local Planning Agency conducted a
29 public hearing on June 11, 18 and 25, July 9, August 13, and November
30 19, 1999 to review the proposed amendments to the Palm Beach County
31 Comprehensive Plan and made recommendations regarding the proposed
32 amendments to the Palm Beach County Board of County Commissioners
33 pursuant to Chapter 163, Part II, Florida Statutes; and

34 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
35 the governing body of Palm Beach County, conducted a public hearing
36 pursuant to Chapter 163, Part II, Florida Statutes, on July 28, August
37 17 and 24, 1999 to review the recommendations of the Local Planning
38 Agency, whereupon the Board of County Commissioners authorized

transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on November 16, 1999 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated November 12, 1999 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on December 13, 1999 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use
Element of the 1989 Comprehensive Plan

The following amendment to the Land Use Element's Future Land Use
Atlas is hereby adopted and is attached to this Ordinance:

A. Future Land Use Atlas page 107 is amended as follows:

Application No.: 99-107 COM/LSMU 1 (Oxley)

Amendment: From Commercial Recreation, with an underlying 1 unit per acre (CR/1) to Commercial Low, with an underlying 1 unit per acre (CL/1);

General Location: On the northeast corner of Old Clint Moore

1 Road and Jog Road;

2 Size: Approximately 7.5 acres;

3 B. Condition: This parcel is subject to the following
4 condition:

5 1. The site shall be limited a maximum of 42,000 square
6 feet of commercial uses.

7 Part II. Repeal of Laws in Conflict

8 All local laws and ordinances applying to the unincorporated area
9 of Palm Beach County in conflict with any provision of this ordinance
10 are hereby repealed to the extent of such conflict.

11 Part III. Severability

12 If any section, paragraph, sentence, clause, phrase, or word of
13 this Ordinance is for any reason held by the Court to be
14 unconstitutional, inoperative or void, such holding shall not affect
15 the remainder of this Ordinance.

16 Part IV. Inclusion in the 1989 Comprehensive Plan

17 The provision of this Ordinance shall become and be made a part
18 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
19 Ordinance may be renumbered or relettered to accomplish such, and the
20 word "ordinance" may be changed to "section," "article," or any other
21 appropriate word.

22 Part V. Effective Date

23 The effective date of this plan amendment shall be the date a
24 final order is issued by the Department of Community Affairs or
25 Administration Commission finding the amendment in compliance in
26 accordance with Section 163.3184, Florida Statutes, whichever occurs
27 earlier. No development orders, development permits, or land uses
28 dependent on this amendment may be issued or commence before it has
29 become effective. If a final order of noncompliance is issued by the
30 Administration Commission, this amendment may nevertheless be made
31 effective by adoption of a resolution affirming its effective status,
32 a copy of which resolutions shall be sent to the Department of

Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,
Tallahassee, Florida 32399-2100. **APPROVED AND ADOPTED** by the Board
of County Commissioners of Palm Beach County, on the 13 day of
December , 1999.

ATTEST:
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Joan Herrell
Deputy Clerk

By Maud Ford Lee
Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



Robert B. O.
COUNTY ATTORNEY

Filed with the Department of State on the 23rd day
of December , 1999.

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EXHIBIT 1

Future Land Use Atlas page 107 is amended as follows:

Amendment No.: 99-107 COM/LSMU 1 (Oxley)

Amendment: From Commercial Recreation, with an underlying 1 unit per acre (CR/1) acre to Commercial Low, with an underlying 1 unit per acre (CL/1).

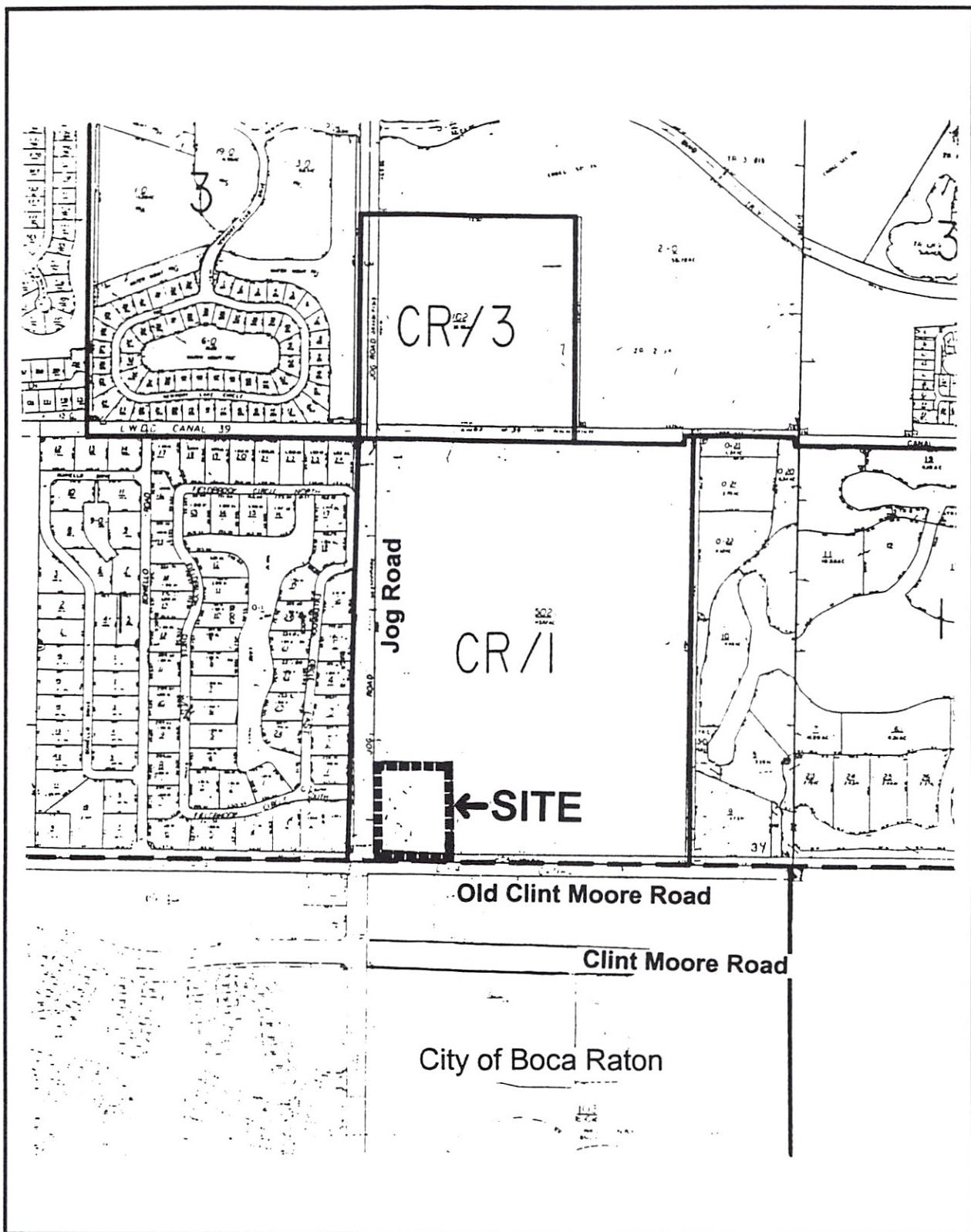
Location: On the northeast corner of Old Clint Moore Road and Jog Road.

Size: Approximately 7.5 acres

Property No.: 00-42-46-34-00-000-5020 (a 7.5 acre portion of a 124.51 acre parcel.)

Legal Description: See attached

Condition: The site shall be limited a maximum of 42,000 square feet of commercial uses.



LEGAL DESCRIPTION:

A CERTAIN PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND SECTION 3, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34;

THENCE NORTH 89 DEGREES 13' 13" EAST (THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34 IS ASSUMED TO BEAR NORTH 89 DEGREES 13' 13" EAST, AND ALL OTHER BEARINGS MENTIONED HEREIN ARE RELATIVE THERETO).

ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 60.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF JOG ROAD, AS SAME IS SHOWN ON ROAD PLAT BOOK 4, PAGES 194 AND 195, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE SOUTH 00 DEGREES 57' 42" EAST, ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 22.00 FEET;

THENCE NORTH 89 DEGREES 13' 13" EAST, ALONG A LINE 22.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 544.54 FEET;

THENCE NORTH 01 DEGREES 03' 59" EAST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 13' 13" WEST, A DISTANCE OF 544.50 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY FOR JOG ROAD, AS NOW LAID OUT AND IN USE;

THENCE SOUTH 01 DEGREES 03' 59" EAST, ALONG SAID EASTERLY RIGHT OF WAY, ALSO BEING A LINE 60.00 FEET EAST OF, AND PARALLEL TO, THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 578.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.50 ACRES MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 13, 1999.
DATED at West Palm Beach, FL on 1/4/00.
DOROTHY H. WILKEN, Clerk
By: Alaine Brown D.C.